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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,089	03/31/2004	William Pan	MR1957-868	5663

4586 7590 12/14/2004

ROSENBERG, KLEIN & LEE
3458 ELLICOTT CENTER DRIVE-SUITE 101
ELLICOTT CITY, MD 21043

EXAMINER

SMITH, ARTHUR A

ART UNIT	PAPER NUMBER
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2851

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/813,089

Applicant(s)

PAN ET AL.

Examiner

Arthur A Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-17 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: The specification contains some slight grammatically errors likely the result of a language translation for example, page 1 line 5 "can be hold by" and page 1 line 10 "sickroom".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10, 13 and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Zavracky et al (US 6476784 B2).

In reference to claim 1, Zavracky et al. discloses a portable image viewing apparatus, ref. 170, portable by user's hand to view at least one image, the portable image viewing apparatus comprising: a casing defining a receiving space therein and having a plurality of buttons provided thereon, see fig. 21E, at least one viewing window, ref. 172, being provided on the casing, col. 19 lines 31-41; at least one micro display, ref. 30, arranged in the receiving space and aligned with the viewing window, col. 5 line 50 – col. 6 line 7; and at least one circuit board arranged in the receiving space and electrically connected to the plurality of buttons and the micro display for driving the micro display to display in image, col. 11 lines 1-19 and col. 19 lines 8-9.

In reference to claim 2, Zavracky et al. discloses wherein the plurality of buttons are arranged on such location of the casing that user can easily operate them, see fig. 21E.

In reference to claim 3 and 4, Zavracky et al. discloses a transparent glass inside the viewing window and wherein the transparent glass is a lens, col. 5 line 50 – col. 6 line 7.

In reference to claim 5, Zavracky et al. discloses an adjusting part, ref. 174 and 192, placed outside the viewing window to adjust a focal length of the viewing window for observing the micro display.

In reference to claim 6, Zavracky et al. discloses wherein the micro display is an LCD col. 2 lines 7-19.

In reference to claim 7, Zavracky et al. discloses wherein the micro display is an LCOS, col. 6 lines 46-56.

In reference to claim 8, Zavracky et al. discloses a memory unit to store image data, vol. 17 line 64 – col. 18 line 7.

In reference to claim 9, Zavracky et al. discloses a card reader electrically connected to the circuit board, the portable image viewing apparatus accessing a memory card through the card reader, see abstract.

In reference to claim 10, Zavracky et al. discloses a computer connecting port on the casing, the computer connecting port being connected to a computer through a connection wire, col. 18 line 65 – col. 19 line 30.

In reference to claim 13, Zavracky et al. discloses a wireless data unit for communicating with a computer with another wireless data unit, col. 18 line 65 – col. 19 line 30.

In reference to claim 15, Zavracky et al. discloses a microprocessor for driving the micro display to display in image, col. 13 lines 14-27.

In reference to claim 16, Zavracky et al. discloses a DC power supply, col. 19 lines 9-12.

In reference to claim 17, Zavracky et al. discloses a microscope for viewing the micro display, col. 5 line 66 – col. 6 line 2.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11, 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zavracky et al (US 6476784 B2) in view of Saito (US 2002/0025042 A1).

Zavracky et al. discloses all the limitations of the parent claim as discussed above. Zavracky et al. does not specifically disclose wherein the computer connecting port is a USB port or an IEEE 1394 port or wherein the wireless connection is bluetooth. Saito discloses a portable image viewer in which the computer connection is taught to either be a USB port or an IEEE 1394 port and that the wireless connection is bluetooth,

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paragraph 10 and 35. It would have been obvious to one of ordinary skill in the art at the time the invention was made to realize that the computer connecting port of Zavracky et al. could be either a USB or IEEE 1394 port and the wireless transmission could be bluetooth. Since these are the more common ports to connect peripheral devices to a computer today and bluetooth is an increasingly popular wireless communication one would provide these ports to allow for connection with a wide array of computers, see Saito, paragraph 35.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jacobsen et al (US 6232937 B1) and van Kruistum (US 5703624) both portable image viewing apparatuses.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur A Smith whose telephone number is (571) 272 2129. The examiner can normally be reached on Monday - Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays during the same hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (572) 272 2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'A. Smith', with a stylized flourish at the end.

Arthur A. Smith
December 9, 2004